

REMARKS

SUMMARY OF THE OFFICE ACTION

In the Office Action dated December 22, 2008, the Examiner has reopened prosecution in the present application. The Examiner has withdrawn rejections regarding the Hurst reference not teaching the feature of Claim 2, which is “detecting the type of terminal being carried out by monitoring and probing signal links.” The Examiner, however, has entered a new ground of rejection on the basis of *Jokinen et al.*, U.S. 2003/0027581. Specifically, the Examiner has rejected Claims 1-9 as being unpatentable under 35 U.S.C. §103(a) over *Jokinen* in view of *Hurst et al.* U.S. 7,149,545.

SUMMARY OF THIS RESPONSE

The Applicant respectfully submits that, based on the remarks presented below, the disclosure of the cited references do not, alone or in combination, anticipate or render obvious the invention of the present invention. The Office Action cites *Jokinen* and *Hurst* as teaching or suggesting a method for automatic management of terminal-dependent information as recited in independent claim 1. The Office Action recognizes that *Jokinen* fails to disclose remapping of the unique identity to properties, including the type of terminal, but sets forth that *Hurst* teaches remapping.

DETAILED RESPONSE TO THE EXAMINER’S REJECTION UNDER §103(A)

First, applicant submits that *Hurst* teaches a method for over-the-air activation of protected content pre-programmed on a memory device that is operable on mobile terminals. As such, regardless of which embodiment, applicability of *Hurst* is limited to devices with protect content stored in memory, such as memory cards with pre-programmed content and computer-read only memory with pre-programmed content.

Second, the terminal of *Hurst* is already configured. The access information is already stored in the terminal, and the *Hurst* terminal identifies itself. Also, the disclosure of *Hurst* requires one to acquire the secure content, which already must be adapted to the mobile terminal in advance, either stored on a fixed memory within the mobile terminal, or stored on a removable memory card. Only the activation of the already adapted content is automatic or semi-automatic in *Hurst*. Consequentially, the teachings of *Hurst* are unrelated to remapping of the unique identity properties, including the type of terminal.

Third, Applicant respectfully notes that authorizing subsequent service or content activation to authorized users while minimizing unauthorized users from access to the service options or content Applicant respectfully notes that this is not an object of the present invention. The combination of *Jokinen* and *Hurst* does not give rise to the method to automatically adapt information for a relevant terminal, as is the object of the present invention. With the use of the present invention method, there is no need of a dialog with the terminal in order to send the terminal dependent information.

Thus based on the deficiencies set forth above, Applicant respectfully asserts that *Jokinen* and *Hurst*, whether viewed singly or in combination, do not teach, fairly suggest or can be combined to disclose, at least, a method for the automatic management of terminal-dependant information, including, “the detection of the unique identity of the terminal that the subscriber is currently using; the remapping of the unique identity to properties, including type of terminal; the adaptation of information about properties to services for the type of terminal detected; and the presentation of the adapted information on the said terminal,” as recited in independent claim 1.

CONCLUSION

As pointed out in M.P.E.P. § 2143.03, “[t]o establish prima facie obviousness of a claimed invention, all the claimed limitations must be taught or suggested by the prior art,” *In re Royka*, 409 F.2d 981, 180 USPQ 580 (CCPA 1974). Since this criterion has not been met, Applicant respectfully asserts that the rejection under 35 U.S.C. § 103 should be withdrawn because *Jokinen* and *Hurst* do not teach, suggest, or can be combined to disclose each feature of independent claim 1. Additionally, claims 2-9, which depend from independent claim 1, are allowable at least for the reasons presented above for the allowance of independent claim 1, and the additional features recited therein.

In view of the foregoing remarks, it is respectfully requested that the Examiner reconsider his rejection of the claims. The Director is authorized to charge deposit account 04-2223 for any fees which may be required, or credit any overpayment thereto.

Respectfully submitted,
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